

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listing, of claims in the application.

1.(Currently amended): A machine-implemented method for managing software licenses in a ~~distributed~~ computer network having a maximum number of said licenses for use with a licensed software program, comprising the steps of:

counting users of said licensed software program at a plurality of nodes of said computer network to obtain counts of software licenses in use by each node;

transmitting said counts to a master node of said computer network;

calculating a total number of software users on said computer network, said calculating step uses said counts;

evaluating a license allocation condition using said total number of users ~~to obtain a license allocation result; and~~

~~responding to said license allocation result if said license allocation condition is met.~~

2.(Currently amended): The method of claim 1, further comprising the steps of:

performing a sanity scan on at least one subset of said plurality of nodes;

generating a scan result message, said transmitting step transmits said scan result message with at least one of said counts.

3.(Original): The method of claim 2, further comprising the steps of:

checking whether one of said scan result messages has been received from all of said nodes; and

deallocating any licenses allocated to users of any of said nodes from which a scan result message has not been received.

4.(Currently amended): The method of claims ~~1~~ 41, wherein:

said condition is an error condition,

said responding step comprises the steps of:

measuring a license lockout grace period; and  
initiating a license lockout if said grace period is exhausted.

5.(Currently amended): The method of claim ~~4~~, 41 wherein:  
said condition is an warning condition,  
said responding step comprises the step of:  
displaying a warning message.

6.(Currently amended): The method of claim ~~4~~ 41, wherein:  
said condition is an information condition,  
said responding step comprises the step of:  
displaying an information message.

7.(Currently amended): The method of claim ~~4~~, 41, wherein:  
said condition is a threshold value,  
said evaluating step compares said total users to said threshold value,  
said condition is met if said total users is at least equal to said threshold.

8.(Original): The method of claim 1, wherein:  
said evaluating step compares said total users to said maximum number of licenses,  
said condition is met if said total users comprises at least a minimum percentage of said  
maximum number of licenses.

9.(Original): The method of claim 7, wherein said threshold is 110 percent of said  
maximum number of licenses.

10.(Original): The method of claim 7, wherein said threshold is 100 percent of said  
maximum number of licenses.

11.(Original): The method of claim 7, wherein said threshold is 90 percent of said  
maximum number of licenses.

12.(Original): The method of claim 7, wherein said threshold is at least 5 licenses greater than said maximum number of licenses.

13.(Original): The method of claim 7, wherein said threshold is at least equal to said maximum number of licenses.

14.(Original): The method of claim 1, wherein said transmitting step transmits said counts asynchronously.

15.(Original): The method of claim 2, further comprising the step of:  
repeating said performing step periodically.

16.(Original): The method of claim 15, wherein said period is two minutes.

17.(Original): The method of claim 1, further comprising the step of:  
repeating said calculating and evaluating steps periodically.

18.(Original): The method of claim 17, wherein said period is five minutes.

19.(Currently amended): An apparatus comprising:  
a memory, said memory adapted to store program code;  
a processor in communication with said memory, said program code capable of programming said processor to perform a method for managing software licenses in a ~~distributed~~ computer network having a maximum number of said licenses for use with a licensed software program, the method comprising the steps of:

counting users of said licensed software program at a plurality of nodes of said computer network to obtain counts of software licenses in use by each node;

transmitting said counts to a master node of said computer network;

calculating a total number of software users on said computer network, said calculating step uses said counts;

evaluating a license allocation condition using said total number of users ~~to obtain~~  
a license allocation result; and  
~~responding to said license allocation result if said license allocation condition is met.~~

20.(Currently amended): The apparatus of claim 19, wherein said method further comprises the steps of:

performing a sanity scan on at least one subset of said plurality of nodes;  
generating a scan result message, said transmitting step transmits said scan result message with at least one of said counts.

21.(Original): The apparatus of claim 20, wherein said method further comprises the steps of:

checking whether one of said scan result messages has been received from all of said nodes; and

deallocating any licenses allocated to users of any of said nodes from which a scan result message has not been received.

22.(Currently amended): The apparatus of claim ~~19~~ 43, wherein:

said condition is an error condition,

said responding step of said method comprises the steps of:

measuring a license lockout grace period; and

initiating a license lockout if said grace period is exhausted.

23.(Original): The apparatus of claim 19, wherein:

said condition is a threshold value,

said evaluating step of said method compares said total users to said threshold value,

said condition is met if said total users is at least equal to said threshold.

24.(Original): The apparatus of claim 20, wherein said method further comprises the step of:

repeating said performing step periodically.

25.(Original): The apparatus of claim 19, wherein said method further comprises the step of:

repeating said calculating and evaluating steps periodically.

26.(Currently amended): An apparatus for managing software licenses in a ~~distributed~~ computer network having a maximum number of said licenses for use with a licensed software program, comprising:

means for counting users of said licensed software program at a plurality of nodes of said computer network to obtain counts of software licenses in use by each node;

means for transmitting said counts to a master node of said computer network;

means for calculating a total number of software users on said computer network, said calculating step uses said counts;

means for evaluating a license allocation condition using said total number of users to ~~obtain a license allocation result; and~~

~~means for responding to said license allocation result if said license allocation condition is met.~~

27.(Currently amended): The apparatus of claim 26, further comprising:

means for performing a sanity scan on at least one subset of said plurality of nodes;

means for generating a scan result message, said transmitting means transmits said scan result message with at least one of said counts.

28.(Original): The apparatus of claim 27, further comprising:

means for checking whether one of said scan result messages has been received from all of said nodes; and

means for deallocating any licenses allocated to users of any of said nodes from which a scan result message has not been received.

29.(Currently amended): The apparatus of claim ~~26~~ 45, wherein:

said condition is an error condition,

said responding means comprises:

means for measuring a license lockout grace period; and

means for initiating a license lockout if said grace period is exhausted.

30.(Original): The apparatus of claim 26, wherein:

said condition is a threshold value,

said evaluating means compares said total users to said threshold value,

said condition is met if said total users is at least equal to said threshold.

31.(Original): The apparatus of claim 27, wherein said sanity scan is performed periodically.

32.(Original): The apparatus of claim 26, wherein:

said total number of software users is calculated periodically,

said license allocation condition is evaluated periodically.

33.(Currently amended): A processor readable storage medium, comprising:

processor readable program code embodied on said processor readable storage medium, said processor readable program code for programming a processor to perform a method for managing software licenses in a ~~distributed~~ computer network having a maximum number of said licenses for use with a licensed software program, the method comprising the steps of:

counting users of said licensed software program at a plurality of nodes of said computer network to obtain counts of software licenses in use by each node;

transmitting said counts to a master node of said computer network;

calculating a total number of software users on said computer network, said calculating step uses said counts;

evaluating a license allocation condition using said total number of ~~users to obtain a license allocation result;~~ and

~~responding to said license allocation result if said license allocation condition is met.~~

34.(Currently amended): The processor readable storage medium of claim 33, wherein said method further comprises the steps of:

performing a sanity scan on at least one subset of said plurality of nodes;

generating a scan result message, said transmitting step transmits said scan result message with at least one of said counts.

35.(Original): The processor readable storage medium of claim 34, wherein said method further comprises the steps of:

checking whether one of said scan result messages has been received from all of said nodes; and

deallocating any licenses allocated to users of any of said nodes from which a scan result message has not been received.

36.(Currently amended): The processor readable storage medium of claim ~~33~~ 47, wherein:

said condition is an error condition,

said responding step of said method comprises the steps of:

measuring a license lockout grace period; and

initiating a license lockout if said grace period is exhausted.

37.(Original): The processor readable storage medium of claim 33, wherein:

said condition is a threshold value,

said evaluating step of said method compares said total users to said threshold value,

said condition is met if said total users is at least equal to said threshold.

38.(Original): The processor readable storage medium of claim 34, wherein said method further comprises the step of:

repeating said performing step periodically.

39.(Original): The processor readable storage medium of claim 33, wherein said method further comprises the step of:

repeating said calculating and evaluating steps periodically.

40.(New): The method of claim 1, wherein the evaluating obtains a license allocation result.

41.(New): The method of claim 40, further comprising responding to said license allocation result if said license allocation condition is met.

42.(New): The apparatus of claim 19, wherein the evaluating obtains a license allocation result.

43. (New): The apparatus of claim 42, further comprising responding to said license allocation result if said license allocation conditions is met.

44. (New): The apparatus of claim 26, wherein the evaluating obtains a license allocation result.

45. (New): The apparatus of claim 44, further comprising responding to said license allocation result if said license allocation condition is met.

46. (New): The processor readable storage medium of claim 33, wherein the evaluating obtains a license allocation result.

47. (New): The processor readable storage medium of claim 46, further comprising responding to said license allocation result if said license allocation condition is met.

48.(New): A computer network including a multi-tier licensing system comprising:  
a user tier including user computers;  
a remote node tier including remote nodes enabling users to run a licensed software program, at least some remote nodes allowing multiple users at multiple user computers to run



the licensed software program concurrently, the remote nodes producing counts of the numbers of licensed software users associated with the remote nodes; and

a master node tier including a master node receiving the counts from the remote nodes and calculating a total number of licensed software users, the master node evaluating a license allocation condition using the total number of licensed software users.

49.(New): The computer network including a multi-tier licensing system of claim 48, wherein the remote nodes and master node run licensing software.

50.(New): The computer network including a multi-tier licensing system of claim 48, wherein the master node is selected as the master node from the nodes running the licensing software.

51.(New): The computer network including a multi-tier licensing system of claim 48, wherein the remote nodes serve the licensed software to the users in the user tier.

52.(New): The computer network including a multi-tier licensing system of claim 48, wherein a sanity scan is done on at least one subset of the remote nodes.

53.(New): The computer network including a multi-tier licensing system of claim 52, wherein a scan result message is sent to the master node with at least some of the counts.

54.(New): The computer network including a multi-tier licensing system of claim 53, wherein the master node checks whether the scan result messages has been received from all of the remote nodes and deallocates any licenses allocated to users of any of the nodes from which a scan result message has not been received.

55.(New): The computer network including a multi-tier licensing system of claim 48, wherein the master node compares the total number of licensed software users to a predetermined value.

56.(New): The computer network including a multi-tier licensing system of claim 55, wherein the master node initiates a license lockout grace period if the total number of licensed software users exceeds the predetermined value.

57.(New): The computer network including a multi-tier licensing system of claim 55, wherein the master node sends a warning message if the total number of licensed software users exceeds a predetermined value.

58.(New): The computer network including a multi-tier licensing system of claim 55, wherein the predetermined value is determined from a maximum number of licenses.

59.(New): The computer network including a multi-tier licensing system of claim 48, wherein the counts are sent to the master node asynchronously.

60.(New): The computer network including a multi-tier licensing system of claim 48, wherein the counts are sent periodically.

61.(New): The computer network including a multi-tier licensing system of claim 48, wherein computer network is a distributed computer network.

62.(New): A multi-tier licensing system method comprising:  
at remote nodes of a remote node tier, enabling users to run a licensed software program, at least some remote nodes allowing multiple users at multiple user computers of a user tier to run the licensed software program concurrently;  
at the remote nodes, producing counts of the numbers of licensed software users associated with the remote nodes; and  
at a master node, receiving the counts from the remote nodes and calculating a total number of licensed software users, the master node evaluating a license allocation condition using the total number of licensed software users.

63.(New): The method of claim 62, wherein the remote nodes and master node run licensing software.

64.(New): The method of claim 62, wherein the master node is selected as the master node from the nodes running the licensing software.

65.(New): The method of claim 62, wherein the remote nodes serve the licensed software to the users in the user tier.

66.(New): The method of claim 62, wherein a sanity scan is done on at least one subset of the remote nodes.

67.(New): The method of claim 66, wherein a scan result message is sent to the master node with at least some of the counts.

68.(New): The method of claim 67, wherein the master node checks whether the scan result messages has been received from all of the remote nodes and deallocates any licenses allocated to users of any of the nodes from which a scan result message has not been received.

69.(New): The method of claim 62, wherein the master node compares the total number of licensed software users to a predetermined value.

70.(New): The method of claim 69, wherein the master node initiates a license lockout grace period if the total number of licensed software users exceeds the predetermined value.

71.(New): The method of claim 69, wherein the master node sends a warning message if the total number of licensed software users exceeds a predetermined value.

72.(New): The method of claim 69, wherein the predetermined value is determined from a maximum number of licenses.

73.(New): The method of claim 62, wherein the counts are sent to the master node asynchronously.

74.(New): The method of claim 62, wherein the counts are sent periodically.

75.(New): The method of claim 62, wherein computer network is a distributed computer network.

76.(New): A computer network including a multi-tier licensing system comprising:  
a user tier including user computers;  
a remote node tier including remote nodes enabling users to run a licensed software program, at least some remote nodes allowing multiple users at multiple user computers to run the licensed software program concurrently, the remote nodes producing indications of the software usage of the licensed software program by users associated with the remote nodes; and  
a master node tier including a master node receiving the indications from the remote nodes and calculating a total number of licensed software users, the master node evaluating a license allocation condition using the total number of licensed software users.

77.(New): The computer network including a multi-tier licensing system of claim 76, wherein the remote nodes and master node run licensing software.

78.(New): The computer network including a multi-tier licensing system of claim 76, wherein the master node is selected as the master node from the nodes running the licensing software.

79.(New): The computer network including a multi-tier licensing system of claim 76, wherein the remote nodes serve the licensed software to the users in the user tier.

80.(New): The computer network including a multi-tier licensing system of claim 76, wherein a sanity scan is done on at least one subset of the remote nodes.

81.(New): The computer network including a multi-tier licensing system of claim 80, wherein a scan result message is sent to the master node with at least some of the indications.

82.(New): The computer network including a multi-tier licensing system of claim 81, wherein the master node checks whether the scan result messages has been received from all of the remote nodes and deallocates any licenses allocated to users of any of the nodes from which a scan result message has not been received.

83.(New): The computer network including a multi-tier licensing system of claim 81, wherein the master node compares the total number of licensed software users to a predetermined value.

84.(New): The computer network including a multi-tier licensing system of claim 83, wherein the master node initiates a license lockout grace period if the total number of licensed software users exceeds the predetermined value.

85.(New): The computer network including a multi-tier licensing system of claim 83, wherein the master node sends a warning message if the total number of licensed software users exceeds a predetermined value.

86.(New): The computer network including a multi-tier licensing system of claim 83, wherein the predetermined value is determined from a maximum number of licenses.

87.(New): The computer network including a multi-tier licensing system of claim 81, wherein the indications are sent to the master node asynchronously.

88.(New): The computer network including a multi-tier licensing system of claim 81, wherein the indications are sent periodically.

89.(New): The computer network including a multi-tier licensing system of claim 81, wherein computer network is a distributed computer network.

90. (New): The computer network including a multi-tier licensing system of claim 81, wherein the indications are counts of the numbers of licensed software users associated with the remote nodes.

91.(New): A multi-tier licensing system method comprising:  
at remote nodes of a remote node tier, enabling users to run a licensed software program, at least some remote nodes allowing multiple users at multiple user computers in a user tier to run the licensed software program concurrently;  
at the remote nodes, producing indications of the software usage of the licensed software program by users associated with the remote nodes; and  
at a master node, receiving the indications from the remote nodes and calculating a total number of licensed software users, the master node evaluating a license allocation condition using the total number of licensed software users.

92.(New): The method of claim 91, wherein the remote nodes and master node run licensing software.

93.(New): The method of claim 91, wherein the master node is selected as the master node from the nodes running the licensing software.

94.(New): The method of claim 91, wherein the remote nodes serve the licensed software to the users in the user tier.

95.(New): The method of claim 91, wherein a sanity scan is done on at least one subset of the remote nodes.

96.(New): The method of claim 95, wherein a scan result message is sent to the master node with at least some of the indications.

97.(New): The method of claim 96, wherein the master node checks whether the scan result messages has been received from all of the remote nodes and deallocates any licenses allocated to users of any of the nodes from which a scan result message has not been received.

98.(New): The method of claim 91, wherein the master node compares the total number of licensed software users to a predetermined value.

99.(New): The method of claim 98, wherein the master node initiates a license lockout grace period if the total number of licensed software users exceeds the predetermined value.

100.(New): The method of claim 98, wherein the master node sends a warning message if the total number of licensed software users exceeds a predetermined value.

101.(New): The method of claim 98, wherein the predetermined value is determined from a maximum number of licenses.

102.(New): The method of claim 91, wherein the indications are sent to the master node asynchronously.

103.(New): The method of claim 91, wherein the indications are sent periodically.

104.(New): The method of claim 91, wherein computer network is a distributed computer network.

105. (New): The method of claim 91, wherein the indications are counts of the numbers of licensed software users associated with the remote nodes.